

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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SCANSOFT, INC. )  
v. Plaintiff, ) Civil Action No. 04-10840-PBS  
ART ADVANCED RECOGNITION ) Honorable Patti B. Saris  
TECHNOLOGIES, INC. )  
Defendant. )  
\_\_\_\_\_  
)

**DECLARATION OF JEREMY P. OCZEK IN SUPPORT OF  
ART ADVANCED RECOGNITION TECHNOLOGIES, INC.'S REPLY  
TO ITS MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT**

I, Jeremy P. Oczek, state:

1. I am an attorney with the law firm of Proskauer Rose LLP in Boston, Massachusetts, counsel for defendant ART Advanced Recognition Technologies, Inc. ("ART"). I am familiar with the facts of the above-captioned case.

2. I make this Declaration for the sole purpose of providing to the Court copies of certain documents which are attached hereto and referenced in ART's Reply in Support of its Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 6,501,966.

3. Exhibit K is a true and accurate copy of the dictionary definition for "telecommunication system" printed out on October 4, 2004 from [www.dictionary.com](http://www.dictionary.com).

4. Exhibit L is a true and accurate copy of an article by C.E. Shannon entitled "A Mathematical Theory of Communication" (1948).

5. Exhibit M is a true and accurate copy of ScanSoft's Rule 26 Initial Disclosures, dated August 19, 2004.

6. Exhibit N is a true and accurate copy of ScanSoft's Responses to ART's First Set of Interrogatories, dated September 17, 2004.

7. Exhibit O is a true and accurate copy of the Declaration of Eran Aharonson in Support of ART's Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 6,501,966.

I declare under the penalty of perjury that the foregoing is true and accurate.

Executed on October 4, 2004.



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**Certificate of Service**

I hereby certify that on October 4, 2004, a true and correct copy of the foregoing document was served upon opposing counsel by use of the Court's ECF system.

/s/ Steven M. Bauer  
Steven M. Bauer